

RESOLUTION NO. 20091119-054

WHEREAS, on October 19, 2009, Texas Gas Service (“TGS”) filed an application with the City to recover costs associated with the relocation of gas facilities required by road construction projects pursuant to its authority for such cost recovery under §104.112 of the Texas Utilities Code; and

WHEREAS, under §104.112 of the Texas Utilities Code, a gas utility may recover the costs it incurs from relocating its facilities due to road construction or improvement projects through a surcharge on gas volumes sold and transported to customers in the service area where the relocation occurred by applying to the regulatory authority for a new rate schedule or tariff; and

WHEREAS, according to the application filed by TGS, the recovery requires a surcharge that when applied to customer bills will result in an increase in the monthly bill for a typical residential customer by approximately \$0.64 for one year and an increase in the monthly bill for a typical commercial customer by approximately \$3.29 for one year; and

WHEREAS, the application filed by TGS indicates that there is no basis for denial and includes sufficient documentation to demonstrate:

- (1) the requirement of each relocation;
- (2) the entity requiring the relocation;
- (3) costs incurred for relocation of comparable facilities;
- (4) surcharge computations; and

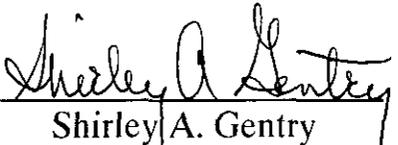
- (5) that reasonable effort have been made to receive reimbursement from the entity requiring the relocation; **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The application for relocation cost recovery filed by Texas Gas Service on October 19, 2009, is granted.

ADOPTED: November 19, 2009

ATTEST:


Shirley A. Gentry
City Clerk